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Attorney for Plaintiff Valentina Ter-Aleksanyan

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CV12-04415

CASE No.: ..

VALENTINA TER-ALEKSANYAN, an
individual,

Plaintiff,

vs.

LHR INCORPORATED, A New York
Corporation

LVNV FUNDING, LLC, A Delaware
Limited Liability Company

Defendants.

**COMPLAINT FOR DAMAGES FOR
VIOLATION OF:**

- 1) FEDERAL FAIR DEBT COLLECTION PRACTICES ACT;
- 2) CALIFORNIA'S ROSENTHAL FAIR DEBT COLLECTION PRACTICES ACT;
- 3) FEDERAL FAIR CREDIT REPORTING ACT;
- 4) CALIFORNIA'S CONSUMER CREDIT REPORTING AGENCIES ACT.

DEMAND FOR JURY TRIAL

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U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIF.
LOS ANGELES
JP

NOW COMES Plaintiff Valentina Ter-Aleksanyan (hereinafter "Plaintiff") through her attorney on record and brings this Complaint against LHR INCORPORATED (hereinafter "LHR") and LVNV FUNDING, LLC (hereinafter "LVNV"), collectively known as DEFENDANTS, for violations of Federal and State consumer protection laws, including the Fair Debt Collection Practices Act [15 U.S.C. §1692-1692p] ("FDCPA"), California's Rosenthal Fair Debt Collection Practices Act [California Civil Code §1788 et seq.] ("RFDCPA"), Fair Credit Reporting Act [15 U.S.C. §1681 et seq.] ("FCRA"), and California's Consumer Credit Reporting Agencies Act [California Civil Code §1785.2 et seq.] ("CCRAA") and alleges as follows:

PRELIMINARY STATEMENT

1
2 1. The FDCPA regulates the behavior of collection agencies attempting to collect
3 a debt on behalf of another. The United States Congress has found abundant evidence of
4 the use of abusive, deceptive, and unfair debt collection practices by many debt collectors,
5 and has determined that abusive debt collection practices contribute to a number of
6 personal bankruptcies, marital instability, loss of jobs, and invasions of individual privacy.
7 Congress enacted the FDCPA to eliminate abusive debt collection practices by debt
8 collectors, to ensure that those debt collectors who refrain from using abusive debt
9 collection practices are not competitively disadvantaged, and to promote uniform State
10 action to protect consumers against debt collection abuses [15 U.S.C. §1692(a)-(e)].

11 2. The FDCPA is a strict liability statute, which provides for actual or statutory
12 damages upon the showing of one violation. The Ninth Circuit has held that whether a debt
13 collector's conduct violates the FDCPA should be judged from the standpoint of the "least
14 sophisticated" consumer. [Baker v. G.C. Services Corp., 677 F.2d 775, 778 (9th Cir. 1982);
15 Swanson v. Southern Oregon Credit Service, Inc. 869 F.2d 1222, 1227(9th Cir.1988)]. This
16 objective standard "ensure[s] that the FDCPA protects all consumers, the gullible as well
17 as the shrewd ... the ignorant, the unthinking and the credulous." [Clomon v. Jackson, 988
18 F.2d 1314, 1318-19 (2nd Cir. 1993)].

19 3. To prohibit deceptive practices the FDCPA, at 15 U.S.C. §1692e, outlaws the
20 use of false, deceptive, and misleading collection letters and names a non-exhaustive list of
21 certain per se violations of false and deceptive collection conduct. 15 U.S.C. §1692e(1)-
(16).

22 4. To prohibit harassment and abuses by debt collectors the FDCPA, at 15 U.S.C.
23 §1692d, provides that a debt collector may not engage in any conduct the natural
24 consequence of which is to harass, oppress, or abuse any person in connection with the
25 collection of a debt and names a non-exhaustive list of certain per se violations of
26 harassing and abusive collection conduct. 15 U.S.C. §1692d(1)-(6). Among these per se
27 violations prohibited by that section are: any collection activities and the placement of
28 telephone calls without meaningful disclosure of the caller's identity [15 U.S.C.

1 §1692d(6)]

2 5. The FDCPA also prohibits, at 15 U.S.C. §1692c, without the prior consent of
3 the consumer given directly to the debt collector, or the express permission of a court of
4 competent jurisdiction, or as reasonably necessary to effectuate a post judgment judicial
5 remedy, communication by a debt collector in connection with the collection of any debt,
6 with any person other than the consumer, his attorney, a consumer reporting agency if
7 otherwise permitted by law, the creditor, the attorney of the creditor, or the attorney of the
8 debt collector.

9 6. The RFDCPA regulates collection agencies and original creditors attempting to
10 collect debts on their own behalf. The California legislature has determined that the
11 banking and credit system and grantors of credit to consumers are dependent upon the
12 collection of just and owing debts and that unfair or deceptive collection practices
13 undermine the public confidence that is essential to the continued functioning of the
14 banking and credit system and sound extensions of credit to consumers. The Legislature
15 has further determined that there is a need to ensure that debt collectors exercise their
16 responsibility with fairness, honesty, and due regard for the debtor's rights and that debt
17 collectors must be prohibited from engaging in unfair or deceptive acts or practices.

18 7. This case involves money, property, or other equivalent, due or owing or
19 alleged to be due or owing from natural persons by reason of consumer credit transactions.
20 As such, this action arises out of "consumer debts" and "consumer credit" as those terms
21 are defined by California Civil Code §1788.2(f).

22 8. Congress enacted the FCRA to establish consumer rights to privacy over
23 their credit and financial information and to ensure the "[a]ccuracy and fairness of credit
24 reporting." FCRA provides several protections for consumers, including but not limited to
25 the right to be notified of any negative/unfavorable information reported in their name and
26 the right to dispute inaccurate, outdated and/or incomplete information on their credit file.

27 9. FCRA regulates credit reporting agencies as well as creditors, collection
28 agencies and other parties who provide information to credit reporting agencies and/or
obtain and use the consumer credit reports. FCRA Section 623, 15 U.S.C. §1681s-2,

1 imposes obligations on furnishers of information to the credit reporting agencies.
2 Furnishers must report accurate information, correct and update erroneous information,
3 and provide certain notices to consumer pertaining to furnished information.

4 10. FCRA Sections 616 and 617, 15 U.S.C. §1681n and §1681o, create private
5 right of action consumers can bring against violators of any provision of the FCRA with
6 regards to their credit. In *DiMezza v. First USA Bank, Inc.*, supra, the court confirmed
7 that "[...] the plain language of [CRA Sections 616 and 617, 15 U.S.C. §1681n and
8 §1681o] provide a private right of action for a consumer against furnishers of information
9 who have willfully or negligently failed to perform their duties upon notice of a dispute.
10 [...] there is a private right of action for consumers to enforce the investigation and
11 reporting duties imposed on furnishers of information."

12 11. CCRAA was implemented to protect the credit information of California
13 consumers. CCRAA also regulates consumer credit reporting agencies and furnishers of
14 information with respect to personal, credit and other financial information submitted and
15 maintained in their credit file. CCRAA in California Civil Code §1785.25-1785.26
16 refrains furnishers of information from reporting information that they know or should
17 have known was erroneous, and obligates furnishers to cease credit reporting of
18 information disputed by consumers without notice of such dispute.

19 12. CCRAA provides consumers with the right to be informed of negative credit
20 reporting and the right to dispute information in their credit reports, which they believe is
21 incomplete and/or inaccurate. Consumers also have the right to bring civil action against
22 violators of any provision of the CCRAA with respect to their rights and their credit, and
23 to seek monetary damages. California Civil Code §1785.19 and §1785.31.

24 13. *Sanai v. Saltz, et al.*, 2009 Cal. App. LEXIS 83 (Cal. App. 2d Dist. Jan. 26,
25 2009) established that consumers may plead their FCRA claims as violations of the
26 CCRAA and that the state claims are not preempted by FCRA. In further support, courts
27 have uniformly rejected creditors' and consumer reporting agencies' arguments that the
28 FCRA bars state law claims. See *Sehl v. Safari Motor Coaches, Inc.*, 2001 U.S. Dist. Lexis
12638 (U.S.D.C. N.D. Cal. 2001)(for detailed discussion); *Harper v. TRW*, 881F. Supp.
294 (U.S.D.C. S.D. Mich. 1995); *Rule v. Ford Receivables*, 36 F. Supp.2d 335 (U.S.D.C.

1 S.D. Va. 1999); Watkins v. Trans Union, 118 F. Supp.2d 1217 (U.S.D.C. N.D. Ala. 2000);
 2 Swecker v. Trans Union, 31 F. Supp.2d 536 (U.S.D.C. E.D. Va. 1998); Saia v. Universal
 3 Card Svc., 2000 U.S. Dist. Lexis 9494, 2000 Westlaw 863979 (U.S.D.C. E.D. La. 2000);
 4 Sherron v. Private Issue by Discover, 977 F. Supp.2d 804 (U.S.D.C. N.D. Miss. 1997);
 5 Hughes v. Fidelity Bank, 709 F. Supp.2d 639 (U.S.D.C. E.D. Pa. 1989).

6 I. JURISDICTION AND VENUE

7
 8 14. Jurisdiction of this Court arises under 15 U.S.C. §1681p, California Civil
 9 Code §1785.33, and 28 U.S.C. §1337.

10 15. Supplemental jurisdiction rests upon 28 U.S.C. § 1367.

11 16. Venue is proper in this United States District Court, Central District of
 12 California because Defendant's violations alleged below occurred in the County of Los
 13 Angeles, State of California and within this District.

14 II. PRIVATE RIGHT OF ACTION

15
 16 1. 15 U.S.C §1692k(a) states that "... any debt collector who fails to comply
 17 with any provision of this title with respect to any person is liable to such person in an
 18 amount equal to the sum of-."

19 2. Cal. Civ. Code §1788.30(a) states that "any debt collector who violates this title
 20 with respect to any debtor shall be liable to that debtor only in an individual action..."

21 3. Cal. Civ. Code §1785.15(f) states that consumers "have a right to bring civil
 22 action against anyone [...], who improperly obtains access to a file, knowingly or willfully
 23 misuses file data, or fails to correct inaccurate file data" concerning a consumer's credit
 24 report.

25 4. Cal. Civ. Code §1785.31(a) states that Plaintiff as "any consumer who suffers
 26 damages as a result of a violation of this title by any person may bring an action in a court
 27 of appropriate jurisdiction against that person to recover the following."

28 5. Pursuant to Gorman v. MBNA America Bank, N.A., No. 06-17226, Plaintiff is
 entitled to a Private Remedy Against Furnishers and FCRA §1681s-2(b) triggers

1 Defendant's furnisher's liability under this section, since Plaintiff made her initial disputes
2 with the Credit Reporting Agencies.

3 6. 15 U.S.C. §1681n refers to consumers' ability to bring civil liability action
4 against users/furnishers of information for willful noncompliance with provisions of the
5 FCRA.

6 **III. THE PARTIES**

7 7. Plaintiff Ter-Aleksanyan is a natural person, an individual residing in Los
8 Angeles County, State of California.

9 8. Plaintiff is a consumer as defined in 15 U.S.C. §1692a (3), 15 U.S.C. §1681a
10 (c) and California Civil Code §1785.3(b).

11 9. Defendant "LHR" is a Colorado Limited Liability Company, registered and
12 conducting business in the State of California.

13 10. Defendant "LVNV" is New York Corporation, **NOT** registered and
14 conducting business in the State of California.

15 11. Defendants are debt collectors as defined in 15 U.S.C. §1692a (6) and
16 California Civil Code §1788.2(c).

17 12. Plaintiff and Defendants are each a person as defined in California Civil
18 Code §1788.2(g), 15 U.S.C. §1681a (b) and California Civil Code §1785.3(j).

19 13. Plaintiff is informed and believes and on that basis alleges that Defendants
20 are responsible for the acts, occurrences and transactions as officers, directors or managing
21 agents of Defendants or as their agents, servants, employees and/or joint venturers and as
22 set forth in this Complaint, and that each of them are legally liable to Plaintiff, as set forth
23 below and herein:

- 24 a. Said Officers, directors or managing agents of Defendants personally acted willfully
25 with respect to the matters alleged in this Complaint;
- 26 b. Said Officers, directors or managing agents of Defendants personally authorized,
27 approved of, adopted and/or ratified the acts alleged herein or the agents, servants,
28 employees and/or joint venturers of Defendant did so act;
- c. Said Officers, directors or managing agents of Defendants personally participated in
the acts alleged herein of Defendant;

- d. Said Officers, directors or managing agents of Defendants personally had close supervision of their agents, servants, employees and/or joint venturers of Defendant;
- e. Said Officers, directors or managing agents of Defendants personally were familiar with the facts regarding the matters alleged herein;
- f. Said Officers, directors or managing agents of Defendants personally failed to investigate the circumstances appertaining to the acts alleged herein. They also failed and refused to repudiate the herein alleged actions and failed to redress the harm done to Plaintiff. Further, said Officers, directors, or managing agents of Defendants failed and refused to punish or discharged the said agents, servants, employees and/or joint venturers of Defendant, even after learning of the acts of the agents, servants, employees and/or joint venturers of Defendants.

14. Defendants are liable to Plaintiff for the relief prayed for in this Complaint, and any future amended complaint. Further, Plaintiff alleges that each act alleged herein, whether by a named Defendants were expressly authorized or ratified.

IV. FACTS COMMON TO ALL COUNTS

15. Plaintiff who is not a minor alleges that the following events and actions taken by Defendant occurred within the past one year.

16. In or around December 15, 2011 Plaintiff discovered through a credit review conducted with the three major Credit Reporting Agencies, Experian, Equifax and TransUnion (collectively "CRAs") that Defendants had reported collections accounts in her name, alleging Plaintiff was in debts with them.

17. Defendants had failed to provide Plaintiff dunning notices of debts or inform of the negative credit reporting, thereby depriving Plaintiff of her right to a dispute and validation request for the alleged debts and her right to a fair and accurate credit reporting.

18. On or about December 15, 2011 Plaintiff sent a letter of dispute to CRAs, requesting investigation and verification of the collection accounts reported by Defendants, otherwise their prompt and permanent deletion from Plaintiff's credit bureau reports.

19. On or about January 02, 2012 after initiating her initial disputes with CRAs

1 Plaintiff sent letters of dispute and a validation request to Defendants directly, requesting
2 documentation validating the alleged debts, otherwise their prompt and permanent deletion
3 from Plaintiff's credit bureau reports.

4 20. Defendants failed to answer to Plaintiff's debt validation requests, failed to cease
5 collection activities and credit reporting upon receipt of Plaintiff's disputes, and failed to
6 inform the CRAs that the accounts were in dispute. Yet, within days of the credit bureau
7 disputes, the CRAs claimed that Defendants verified the accounts as accurate to them.

8 21. On or about February 07, 2012 Plaintiff sent a follow up request to Defendants
9 addressing their lack of validation or alternatively, the closing and deletion of the disputed
10 collection accounts and the alleged debts.

11 22. Following Plaintiff's follow up notice and request, Defendants again failed to
12 provide proper response or take appropriate corrective actions.

13 23. On or about March 06, 2012 Plaintiff sent Defendants notices of their violations
14 with regards to the reporting of the unverified alleged debts and failure to validate the accuracy
15 of such debts. Plaintiff's communication was sent in an effort to get Defendants' cooperation
16 and resolve the situation amicably.

17 24. Despite Plaintiff's efforts to date, Defendants have failed to properly address her
18 disputes and requests, have failed to validate the alleged debts or cease further collection of the
19 unverified debts. Defendants continue to maintain the unverified accounts on Plaintiff's credit
20 record.

21 25. Due to the inaccurate credit reporting and Defendants' prolonged noncompliance
22 in resolving the situation Plaintiff has suffered emotional and financial distress. Specifically, as
23 a result of Defendants' conducts, Plaintiff has suffered:

- 24 a. Actual damages and serious financial and pecuniary harm arising from monetary
25 losses relating to denials of attempts to obtain credit cards and consumer loans, loss
26 of use of funds, loss of credit and loan opportunities, excessive and/or elevated
27 interest rate and finance charges.
28 b. Out of pocket expenses associated with disputing the credit information only to find
the information to remain on the credit report;

- c. Emotional distress and mental anguish associated with having incorrect derogatory credit information transmitted about Plaintiff to other people both known and unknown;
- d. Decreased credit score and creditworthiness, which may result in inability to obtain credit on future attempts.

COUNT I

Violations of FDCPA

26. Plaintiff repeats and reincorporates by reference the above paragraphs.

27. Defendants knowingly and willfully violated the FDCPA by:

- a) Failing to provide dunning notices of debts and written notices of Plaintiff's right to request validation of debts along with information about the alleged debts, including the name and contact information of the original creditors pursuant to 15 U.S.C. §1692g(a);
- b) Failing to cease collection activities and continuing to make collection efforts on the alleged debts without properly responding to Plaintiff's validation request pursuant to 15 U.S.C. §1692g(b);
- c) Failing to properly validate the alleged debts pursuant to 15 U.S.C. §1692g(b);
- d) Using false representations and deceptive means to collect or attempt to collect the alleged debts pursuant to 15 U.S.C. §1692e;
- e) Using unfair or unconscionable means to collect or attempt to collect the alleged debts pursuant to 15 U.S.C. §1692f.

COUNT II

Violations of RFDCPA

28. Plaintiff repeats and reincorporates by reference the above paragraphs.

29. Defendants knowingly and willfully violated RFDCPA by:

- a) Using false representations and deceptive means to collect or attempt to collect debts pursuant to Civil Code §1788.17;

- 1 b) Using unfair and/or unconscionable means to collect alleged debts pursuant to
2 California Civil Code §1788.17.

3 **COUNT III**

4 **Violations of FCRA**

5 30. Plaintiff repeats and reincorporates by reference the above paragraphs.

6 31. Defendants knowingly and willfully violated the FCRA by:

- 7 a) Furnishing inaccurate/unverified information to the CRAs pursuant to 15
8 U.S.C. §1681s-2 (a);
- 9 b) Failing to inform Plaintiff about the reporting of negative information to her
10 credit report, prior to or within five(5) days of furnishing collection accounts to
11 the CRAs pursuant to 15 U.S.C. §1681s-2 (a)(7)(A);
- 12 c) Failing to conduct proper investigation of disputed information upon receipt of
13 Plaintiff's disputes pursuant to 15 U.S.C. §1681s-2 (a)(8)(E);
- 14 d) Verifying the disputed accounts with the CRAs prior to conducting thorough
15 investigation and without having substantiating support for such verifications;
- 16 e) Reporting disputed information to the CRAs, without notice of Plaintiff's
17 disputes, during the investigation period and prior to providing verification of
18 accuracy pursuant to 15 U.S.C. §1681s-2 (a)(3);
- 19 f) Continuing to report unverified information to the CRAs after lack of responses
20 and verifications.

21 **COUNT IV**

22 **Violations of CCRAA**

23 32. Plaintiff repeats and reincorporates by reference the paragraphs above paragraphs.

24 33. Defendants knowingly and willfully violated CCRAA by:

- 25 a) Submitting negative credit information to Plaintiff's credit report with the
26 CRAs, without notifying the Plaintiff pursuant to California Civil Code
27 §1785.26(b);
- 28

- b) Continuing to report the collection accounts to the CRAs, upon receipt of Plaintiff's disputes and during the investigation periods, without notices that the accounts have been disputed by Plaintiff pursuant to California Civil Code §1785.25(c);
- c) Failing to acknowledge Plaintiff's demand for investigation and correction of information furnished to the CRAs, following Plaintiff's receipt of CRAs' reinvestigation results pursuant to California Civil Code §1785.30.

PRAYER FOR RELIEF

34. Plaintiff repeats and reincorporates by reference the paragraphs above paragraphs.

35. Plaintiff contends that the Defendants' actions constituted willful violations of the Fair Debt Collection Practices Act, the Rosenthal Fair Debt Collection Practices Act, the Fair Credit Reporting Act and Consumer Credit Reporting Agencies Act.

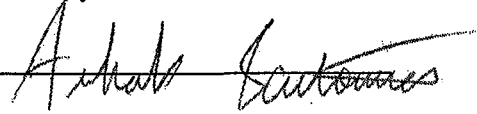
WHEREFORE, Plaintiff requests judgment to be entered in her favor and against the Defendants for:

1. Actual damages, per 15 U.S.C. §1692k(a)(1) and/or Civil Code §1788.30(a), 15 U.S.C. §1681n (a)(1)(A) and Cal. Civ. Code §1785.31(a)(2)(A);
2. Statutory damages, per 15 U.S.C. §1692k(a)(2) and/or Civil Code §1788.30(b), and 15 U.S.C. §1681n (a)(1)(A) and Cal. Civ. Code §1785.19(a);
3. Costs and reasonable attorney's fees, pursuant to 15 U.S.C. §1692k(a)(3), and/or Civil Code §1788.30(c), 15 U.S.C. §1681n (c) and/or Code of Civil Procedure §490.020;
4. Punitive damages, per 15 U.S.C. §1681n (a)(2) and Cal. Civ. Code §1785.31(a)(2)(B), as the court may allow;
5. Injunctive relief, per Cal. Civ. Code §1785.31(b), ordering Defendants to cease collection activities and delete the reporting of the unverified accounts and debts;
6. Declaratory relief, which is available pursuant to 28 U.S.C. §2201 and §2202;
7. Any other relief as this Honorable Court deems appropriate.

1
2 DATED: 04/05/2012

Respectfully submitted,

3 By:



4 Arshak Bartoumian, attorney for Plaintiff
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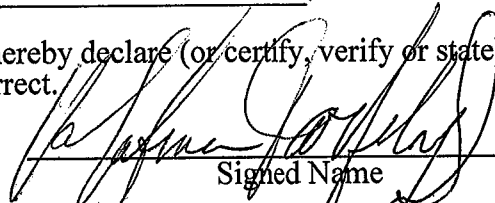
I, Valentina Ter-Aleksanyan, have suffered from the following due to, or made worse by, the actions of the Defendants' debt collection activities:

- | | |
|---|-------------------|
| 1. Sleeplessness | YES NO |
| 2. Fear of answering the telephone | YES NO |
| 3. Nervousness | YES NO |
| 4. Fear of answering the door | YES NO |
| 5. Embarrassment when speaking with family or friends | YES NO |
| 6. Depressions (sad, anxious, or "empty" moods) | YES NO |
| 7. Chest pains | YES NO |
| 8. Feelings of hopelessness, pessimism | YES NO |
| 9. Feelings of guilt, worthlessness, helplessness | YES NO |
| 10. Appetite and/or weight loss or overeating and weight gain | YES NO |
| 11. Thoughts of death, suicide or suicide attempts | YES NO |
| 12. Restlessness or irritability | YES NO |
| 13. Headache, nausea, chronic pain or fatigue | YES NO |
| 14. Negative impact on my job | YES NO |
| 15. Negative impact on my relationships | YES NO |

Other physical or emotional symptoms I believe are associated with abusive debt collection activities:

Pursuant to 28 U.S.C. §1746(2), I hereby declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

Dated: 04/05/2012


 Signed Name
 Valentina Ter-Aleksanyan
 Printed Name

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) VALENTINA TER-ALEKSANYAN	DEFENDANTS LHR INCORPORATED LVNV FUNDING, LLC
(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) ARSHAK BARTOUMIAN (SBN 210370): TEL. 818-532-9339 OMNIA LEGAL, INC 124 W STOCKER ST STE B, GLENDALE, CA 91202	Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an X in one box only.) <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%; border: none;"> <tr> <td style="width:30%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> <td style="width:40%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> </tr> <tr> <td>Citizen of This State</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business in this State</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> </tr> </table>		PTF	DEF		PTF	DEF	Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
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IV. ORIGIN (Place an X in one box only.)
☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify): ☐ 6 Multi-District Litigation ☐ 7 Appeal to District Judge from Magistrate Judge

V. REQUESTED IN COMPLAINT: JURY DEMAND: ☒ Yes ☐ No (Check 'Yes' only if demanded in complaint.)
CLASS ACTION under F.R.C.P. 23: ☐ Yes ☒ No **MONEY DEMANDED IN COMPLAINT:** \$ Not Yet Asserted

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)
 VIOLATIONS OF 15 U.S.C. Section 1681, 15 U.S.C. Section 1692, Cal Civ. Code Section 1788, Cal. Civ. Code Section 1785

VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input checked="" type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	TORTS PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	TORTS PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General Habeas Corpus <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition FORFEITURE/PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety /Health <input type="checkbox"/> 690 Other	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) (405(g)) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
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CV12-04415

FOR OFFICE USE ONLY: Case Number: _____

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes
If yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes
If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

- (a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named plaintiff resides.
☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
LOS ANGELES	VARIOUS

- (b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named defendant resides.
☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
LOS ANGELES	VARIOUS

- (c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH claim arose.
Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
LOS ANGELES	VARIOUS

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER):

Date 04/05/2012

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))